

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE NINTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

-

WRIT PETITION NO : 1965 of 1995

Between:

1. Shaik Karimulla, S/o. Kalesha
R/o. Kavali, Nellore District.
2. Gurijala Prakasa Rao, S/o Yerukalaiah
Sri Srinivasa Provisions Stores, Kavali.
3. Ramachandrani Ramachandra Rao, S/o. Venkata Narasimha Rao
Operator, Telephone Booth, Kavali.
4. Gajiraju Ramesh S/o. Kalaiah, lorry driver and owner of
S.B.H. Bank Building, Kavali.
5. M.L. Narayana S/o. Subbaiah
Sri Jaya Lakshmi Lorry Supply Office, Kavali, Nellore District.

..... PETITIONERS

AND

- 1 The Commissioner, Kavali Municipality, Kavali, Nellore District.
- 2 O. Kallaiah, Proprietor Sri Venkateswara Flour Mill, Avulavari Street,

Kavali, Nellore District.

(Petition as against R2-Dismissed for default as per court order

dt. 7/1/03.)

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the Proceedings of the 1st respondent in R.Dis.No.1012/94/D1, dated 30-9-1994 in granting permission to the 2nd respondent for establishing Sri Venkateswara Flour Mill with 10 HP capacity in

Avulavari Street, Kavali, Nellore District in the midst of residential locality and the premises of the petitioners as illegal, arbitrary and violative of section 264 of A.P. Municipalities Act, 1968 and quashing the said proceedings as illegal and arbitrary including the Resolution No. 202 dated 29-9-94 of the Kavali Municipality, Kavali.

Counsel for the Petitioner: MR. P.SRIDHAR REDDY

Counsel for the Respondents: None

The Court made the following :

THE HON'BLE SRI JUSTICE N.V. RAMANA

-

WRIT PETITION NO : 1965 of 1995

ORAL ORDER:

The present writ petition is filed seeking a Writ of Mandamus declaring the proceedings of the first respondent in R.Dis.No.1012/94/D1, dated 30.09.1994 in granting permission to the second respondent for establishing Sri Venkateswara Flour Mill with 10 HP capacity in Avulavari Street, Kavali, Nellore District in the midst of residential locality and the premises of the petitioners as illegal, arbitrary and violative of Section 264 of A.P. Municipalities Act, 1968 and quashing the said proceedings as illegal and arbitrary including the resolution No.202, dated 29.09.1994 of the Kavali Municipality, Kavali.

The Writ Petition as against second respondent was dismissed by an order of this court, dated 07.01.2003. Learned counsel for the petitioners seeks permission to withdraw the writ petition with a liberty to approach the competent authority for redressal of their grievance.

Accordingly, the writ petition is dismissed as withdrawn granting liberty to the petitioners to approach the competent authority for redressal of their grievance. No costs.

09th August, 2004

Nsr/Tvk

To

1. The Commissioner, Kavali Municipality, Kavali, Nellore District.
2. Two CD copies.